

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 3392 of 2015

- Budhsagar S/o Late Ramprasad, Aged About 9 Years Minor, Through Legal Guardian Mother Smt. Bijul Bai W/o Late Ramprasad, Aged About 40 Years, R/o Village Gelhapani, Bhattha Dafai, Police Station Chirmiri, Tahsil Khadgawan, District Korea Chhattisgarh

---- Petitioner

Versus

1. South Eastern Coalfields Limited Through The Managing Director, S.E.C.L. Bilaspur Chhattisgarh
2. Regional Commissioner, S.E.C.L. Chirmiri, Coal Mines Provident Fund, Gupteshwar Marg, Jabalpur M.P.
3. The Chief General Manager, South Eastern Coalfields Limited, Chirmiri, Malviya Nagar, West Chirmiri, Podi, District Korea Chhattisgarh
4. Sub Area Manager, Sindurgarh Colliery, S.E.C.L. Chirmiri, District Kroea Chhattisgarh

---- Respondents

For Petitioner	Shri Ajay Kumar Pandey, Advocate
For Respondents	Shri S. K. Bajpai, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board By

17/09/2015

1. With the consent of the learned counsel for the parties, the matter is heard finally.
2. It is stated that the petitioner's father was an employee in the SECL. In his CMPF account, a sum of Rs.3,87,285/- is deposited, however, 50% of the said amount i.e. Rs.1,93,642/- is not released in favour of the

petitioner even though a succession certificate to that extent has already been issued in his favour by the Jurisdictional Civil Court.

3. Shri Bajpai, learned counsel appearing for the respondents on advance notice would pray for sometime to seek instructions in the matter, however, considering the nature of dispute, this Court deems it appropriate to dispose of the writ petition that in the event, the petitioner prefers a fresh representation before the competent authority of the respondents for releasing his share in the CMPF amount within a period of 1 month from today, the competent authority shall consider and decide the representation by speaking order, at the earliest, preferably within a period of 3 months from the date of submission of representation.
4. It is made clear that this Court has not expressed any opinion on the merits of the case and the respondent authorities shall decide the matter, on its own merits, strictly in accordance with law, without treating any observation made in this order, as opinion on the merits of the case.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA